



Federal Communications Commission
Washington, D.C. 20554

DA 09-2465

November 24, 2009

Mr. George Y. Wheeler
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, DC 20006-6801

Re: Call Sign E080145
File Number: SES-MOD-20090818-01024

Dear Mr. Wheeler:

On August 18, 2009, Harris Corporation (Harris) filed a modification application to add emission designators,¹ add transmit extended-Ku band frequencies,² increase existing EIRP and EIRP density levels, correct the existing antenna information on the license, and rename the antenna's site ID on the license. Pursuant to Section 25.112(a)(2) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss the application, without prejudice to refiling.³

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. Harris's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

In response to Item E43/44 of Schedule B, Harris lists the transmit frequencies of 13.75-14.00 GHz, while in Item E21 of Schedule B, Harris lists ALSAT-designated satellites as the only point of communication. However, only those fixed-satellite service earth stations that are both two-degree compliant and operate in the 3700-4200 MHz, 5925-6425 MHz, 11.7-12.2 GHz, or 14.-14.5 GHz frequency bands can request ALSAT-designated satellites as a point of communications. In all other cases, the applicant must identify the specific satellite or satellites with which the proposed earth station seeks to communicate. Therefore, should Harris choose to refile, it must list the specific satellite(s) with which it wishes to communicate in Item E21. We request that Harris provide the call sign of the satellite if it is a U.S. licensed satellite, or the call sign of the earth station where the authorization was granted is the satellite is a foreign space station. If these satellites have not been previously authorized to serve the United States in this frequency band, then Harris is reminded that Section 25.137 of the Commission's rules, 47 C.F.R.

¹ 5M00G7D and 4M00G7D.

² The uplink Extended-Ku band frequencies encompass 13.75-14.00 GHz.

³ If Harris refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).

§ 25.137, requires the completion of a Schedule S form for each satellite that falls into this category.

Additionally, in response to Item E49 of Schedule B, Harris lists 44.10 dBW/4kHz as the maximum EIRP density per carrier for emission 5M00G7D of the transmit frequency band 14.0-14.5 GHz. Based on this information, we calculate the power density at the input of the antenna flange as -13.40 dBW/4KHz (subtracting the proposed antenna gain of 57.5 dBi from the proposed maximum EIRP density level). This value exceeds the -14 dBW/4kHz power density limit in Section 25.212(c) of the Commission's rules, 47 C.F.R. § 25.212(c). Applicants requesting authority for earth stations that will operate at a power density exceeding the levels in Section 25.212(c), must submit an off-axis EIRP density calculation pursuant to Section 25.115(h) of the Commission's rules in a tabulated format and fall within the applicable off-axis EIRP envelope specified in Section 25.218 of the Commission's rules. The application did not include this showing.

In light of the above, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss Harris's application, without prejudice to refiling.

Sincerely,

Kathryn Medley
Chief, Satellite Engineering Branch
Satellite Division
International Bureau